

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GROVER L. BATTLE, JR.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 03-1062
)	Judge Donetta W. Ambrose/
JACKIE MARQUARDT, Record)	Magistrate Judge Amy Reynolds Hay
Supervisor, KEVIN FUTATO,)	
Records Specialist,)	
ROBERT A. GREEVY,)	
Assistant Counsel,)	
Defendants)	

ORDER

AND NOW, this 21st day of April, 2006, after the plaintiff,

Grover L. Battle, Jr., filed an action in the above-captioned case, and after a Motion for Summary Judgment was submitted by the defendants, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by plaintiff, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the defendants' Motion for Summary Judgment is GRANTED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff/defendant desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.



DONETTA W. AMBROSE
Chief United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

Grover L. Battle, Jr.
BD-7339
SRCF Mercer
801 Butler Pike
Mercer, PA 16137

Rodney M. Torbic
Senior Deputy Attorney General
Litigation Section
6th Floor, Manor Complex
564 Forbes Avenue
Pittsburgh, PA 15219